

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No. 4181

Fernand LABRIE

Date: November 13, 2008

Serial No.: 10/052,824

Group Art Unit: 1617

Filed: November 7, 2001

Examiner: Yong Soo Chong

For: SELECTIVE ESTROGEN RECEPTOR MODULATORS IN COMBINATION WITH ESTROGENS

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VIA EFS-WEB

Commissioner for Patent

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 13, 2008 of the Primary Examiner finally rejecting claims 1-3 and 14-28.

The Appeal Fee (\$540 - Non-Small Entity; ~~\$270 - Small Entity~~) is

☒ Submitted via EFS-WEB

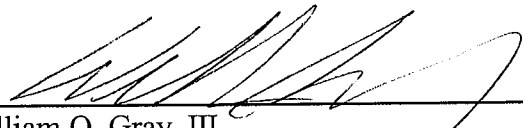
☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE PATENT AND  
TRADEMARK OFFICE EFS FILING  
SYSTEM ON November 13, 2008.

Respectfully submitted,



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